Remarks:

Claim Rejections – 35 USC 112

Claims 8 and 9 were rejected under 35 USC 112, second paragraph as being incomplete. Claims 8 and 9 have been canceled.

Claim Rejections – 35 USC 102

All claims except claims 10-18 have been canceled.
Claims 10-12 deal with a method of controlling the breakdown voltage of a snapback device, and claims 13-18 deal with a method of increasing the breakdown voltage of a snapback device.

The concept of controlling or increasing breakdown voltage in a snapback device by forming a specific type of isolation region between the active region and the substrate of the device is nowhere taught in Taft or Anh.

Regarding independent claim 10, the examiner states that Taft teaches controlling doping levels of an isolation region. However, claims 10-18 deal with a specific characteristic of a specific device which is controlled using the describe method. This specific characteristic and device (breakdown voltage in a snapback structure) has not been addressed in this fashion.

Regarding independent claim 13, the examiner states that Taft teaches forming an isolation layer between active regions and substrate of the device. This is not correct. The specification of Taft discusses doping levels of well regions as explained generally in the Background section column 1, lines 27-35 and more specifically with respect to Figures 10-11 read with column 4, lines 16-17 and lines 27-29. The only mention of any kind of isolation is in the omnibus section on page 6, lines 41-47. In this section oxide or nitride regions are implanted.

In contrast, the present invention still implants dopants (not nitride or oxide) but varies the dopant concentration, and does this for the **specific purpose of forming an isolation layer between the active region and the substrate of a snapback device, wherein the isolation layer is manipulated to achieve specific results.**

Under MPEP 2116.01: A novel end product using a known process can be patentable. The section specifically refers *to* ***In re Ochiai*****, 71 F.3d 1565 37 USPQ 2d 1127 (Fed. Cir. 1995) and** ***In re Brouwer*****, 77 F.3d 422, 37 USPQ 2d 1663 (Fed. Cir. 1996) which held the claims on those cases to be patentable since there simply was no suggestion or motivation in the prior art to make or use novel, non-obvious products in the claimed processes.**

The section points out that the decision is fact intensive and refers, for example, to In re Durden and In re Alberson in which the claims were not allowed, however, both those cases are distinguishable over Ochiai, Brouwer, and the present situation since Durden and Albertson merely made use of a new starting material, and as the court stated in those cases, applying a known method to a new starting material does not suffice for non-obiousness.

In contrast, the present application provides for a new characteristic in an end product, namely a method of controlling the breakdown voltage of a snapback device by forming a specific type of isolation layer. This is not suggested or motivated by either Taft or Ahn.

It is therefore respectfully requested that the claims remaining in the application be permitted to proceed to allowance.

Respectfully Submitted,

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